


PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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|--|--|--|----------------------|
| Applicant's or agent's file reference | FOR FURTHER ACTION | | See Form PCT/PEA/416 |
| International application No. PCT/GB2005/001040 | International filing date (day/month/year) 18.03.2005 | Priority date (day/month/year) 18.03.2004 | |
| International Patent Classification (IPC) or national classification and IPC INV. G06F17/60 | | | |
| Applicant ISSUEBITS LIMITED et al. | | | |
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 38.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> | | | |
| <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> | | | |
| Date of submission of the demand 17.01.2006 | | Date of completion of this report 09.05.2006 | |
| Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016 | | Authorized officer Blanco Cardona, P Telephone No. +31 70 340-2628 | |



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2005/001040

Box No. I Basis of the report

1. With regard to the **language**, this report is based on
- ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-17 as originally filed

Claims, Numbers

1-25 as originally filed

Drawings, Sheets

1/1 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2005/001040

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|-------|
| Novelty (N) | Yes: Claims | 1-23 |
| | No: Claims | 24,25 |
| Inventive step (IS) | Yes: Claims | |
| | No: Claims | 1-25 |
| Industrial applicability (IA) | Yes: Claims | 1-25 |
| | No: Claims | |

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial
applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

- D1: US 2003/050042 A1 (OLAH GEZA) 13 March 2003 (2003-03-13)
- D2: US 2001/054064 A1 (KANNAN PALLIPURAM V) 20 December 2001 (2001-12-20)

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

The document D1 is regarded as being the closest prior art and discloses (the references in parentheses applying to this document):

a method simplifying the technical infrastructure deployed in a system for processing questions sent from a mobile telephone over a wireless bearer, comprising the steps of receiving a question sent from the mobile phone (paragraphs 12-13), handling the question and sending the answer in plain text to the mobile phone (paragraph 14); wherein the question is not restricted to any category of question types (they actually can relate to different categories or fields as stated in paragraph 18) and is sent using a premium rate text service (paragraphs 8 and 32).

The following features are also defined in claim 1:

1. handling the question by sending it out for review by one or more human researchers to compose an answer.
2. the question is expressed in natural language.

These features (as it would also be the case of the feature of the questions not being restricted to predefined categories) are sustained on the fact that said questions are meant to be dealt (at least in some cases) by human operators. This aspect as such has no technical content but the fact that the system receiving the questions must present a user's interface (i.e. input/output computer means) for the human operators.

Said human operators interface in systems to process questions is well known by the person skilled in the art as shown in document D2 where the possibility of sending queries from a cellular phone is even suggested (see paragraph 62 and Fig. 1).

Consequently, the combination of premium rate text service and use of natural language questions as defined in the formulation of method claim 1 could be a new service idea but it is not regarded as a technical invention as it does not define technical aspects (basically adding human support) that involve an inventive step in relation to the technical prior art.

It is also not regarded as solving any technical problem related to the display limitations of mobile phones, as the use of human operators to give more concise answers is regarded not as solution for said technical problem but an idea to circumvent the technical problem by applying non-technical features.

Therefore, the subject-matter of claim 1 does not involve any inventive step.

Independent claims 24(**) and 25 only define features corresponding to some of the features defined in claim 1. Said features are already disclosed in D1.

For claim 24(**), see D1, paragraph 14.

For claim 25, see D1, paragraphs 3 and 14.

Therefore, the subject-matter of independent claims 24(**) and 25 is not novel.

Dependent claims 2-24(*) do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.

Claim number 24 has been mistakenly used twice in the filed set of claims. References including a (*) refer to the first instance of said claim number in the set of claims and the references including a (**) refer to the second instance of said claim number in the set of claims.